



1772
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Appln of:

Hiroaki ITO et al.

Serial No.: 09/710,892

Group Art Unit: 1772

Filed: November 14, 2000

Examiner: Marc Patterson

For: FUEL HOSE

PETITION UNDER 37 CFR §1.181

Commissioner of Patents
Washington, D.C. 20231

Dear Sir:

We are submitting this Petition under 37 CFR §1.181 to restart the response date of the March 27, 2002, Office Action issued in connection with the above-captioned application. Examiner Patterson informed us of the issuance of this Office Action on September 27, 2002, when he inquired whether a response had been filed. Prior to October 16, 2002, we had not received any copy of this Office Action.

This Petition should be treated as a request to restart a response period for failure to receive an Office Action. No Petition fee is required.

A showing required to establish failure to receive an Office Action requires submission of a) the practitioner statement that an Office Action was not received by the practitioner, b) a statement attesting to the fact that a search of the file jacket and docket records indicate that the Office Action was not received, and c) a copy of the docket record where the non-received Office Action would have been entered had it been received.

In support of the present Petition, the undersigned practitioner hereby declares that, to the best of his knowledge and belief, the Office Action mailed March 27, 2002 has not been

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received in this office, and that a search of the file jacket and docket records support this fact. At Petitioner's request a copy of the Office Action was transmitted by facsimile to the undersigned on October 16, 2002.

In further support of the present Petition, a hard copy of the page from the electronic computer docketing system for our office is submitted herewith as Attachment A.

As can be seen from the 8th line under "Action" on Attachment A, entitled "Office Action Recd?", the "Base Date" field indicates that the Office Action has not been received in our office.

For the foregoing reasons, this Petition under 37 CFR §1.181 should be granted and a replacement Office Action should be issued with a new mailing date in order to restart the response period. Favorable action commensurate with the above is requested.

Should it be found necessary, please charge undersigned counsel's Deposit Account No. 06-1358 for any fees in connection with this Petition. A duplicate of this paper is attached.

Respectfully submitted,

JACOBSON HOLMAN PLLC

By: 
Irwin M. Aisenberg
Reg. No. 19,007

400 Seventh Street, N.W.
Washington, D.C. 20004-2201
202/638-6666
Atty. Dkt. No.: P66074US0
IMA/dlj
Dated: October 17, 2002

Enclosure: Attachment A

OPER	TC	ENTERED	10/5/00	FILED	8/28/02	ATTORNEYS	IMA / IMA N/A	PRINTED ON:	10/16/02					
JH#	P66074US0	CNTRY	US	UNITED STATES		NEW/CON	NEW	RELATED						
PATS#	P66074US0	TYPE	UTL	SERIAL#	09/710,892	PATENT#		STAT	PENDING					
TITLE	FUEL HOSE							ART#	1772					
CLIENT	11981	KITAGAWA PATENT LAW FIRM	1	CREF	IPOK00-013US	SE	NO	ASSIG#						
AGENT				AREF		CLAIMS	20	PUBL#						
PRIOR	11/16/99	MAIL		FILE	11/14/00	PUBL		ISSUE		EXP	<input type="checkbox"/>	11/14/20	1ST	11/14/00

ID	O	ACTION	BASE	DUE IN	DUE	EXTNS	FINAL	EXT	RESPONSE	CALL	1	2	P
CL	Y	CLAIM TO PRIORITY/PD		11/14/00									
2 CERTIFIED PRIORITY DOCS													
DP	Y	DECLARAT/PWR OF ATTY		11/14/00									
DL	N	PRIORITY DEADLINE	11/16/99	12M	11/16/00		11/16/00	0	11/14/00	0M	Y	Y	Y
DS	N	INF DISCLOSURE STAT	11/14/00	3M	2/14/01	32	8/14/01	0	12/18/00	0M	Y	Y	Y
FS	N	FILING RECPT RECD?	11/14/00	3M	2/14/01	31	5/14/01	1	2/26/01	0M	Y	Y	Y
ZZ	N	ASSIGNMENT RECEIVED?	11/14/00	6M	5/14/01	181	11/14/02	18		0M	Y	Y	Y
OO	N	OFFICE ACTION RECD?	11/14/00	6M	5/14/01	181	11/14/02	18		0M	Y	Y	Y
CO	Y	CORRECTED OFR RECD?		5/29/01									
	Y	2ND REQ FOR COR OFR		5/31/01									
CA	N	CORR ASSIGNMNT RECD?	2/28/01	6M	8/28/01	151	11/28/02	14		0M	Y	Y	Y
CO	N	CORRECTED OFR RECD?	5/31/01	6M	11/30/01	31	2/28/02	0	9/19/01	0M	Y	Y	Y
	Y	SUPPL IDS FILED		7/8/02									

INVENTORS	ASSIGNEES
ITO, Hiroaki	TOKAI RUBBER INDUSTRIES, LTD.
ITO, Shinji	

PRIOR APPLICATIONS											
REFERENCE#	CNTRY	SERIAL#	FILED	TITLE / DESCRIPTI							TYPE
	JP	11-325992	11/16/99								APPL
	JP	2000-293980	9/22/00								APPL

Attachment
A